

RCRA REVISION CHECKLIST 61

Changes to Interim Status Facilities for Hazardous Waste Management;
 Modification of Hazardous Waste Management Permits;
 Procedures for Post-Closure Permitting
 54 FR 9596-9609
 March 7, 1989
 (Non-HSWA Cluster V)

Note: This rule does not impose a requirement or prohibition pursuant to HSWA. However, portions of the Federal requirements may be necessary to implement HSWA. These necessary rules will be immediately effective and administered by EPA in all States pursuant to RCRA Section 3006(g). For example, use of a Class I modification to add waste codes and/or narrative descriptions of treatment residues to RCRA permits may be necessary in appropriate situations to effectively implement the treatment requirements and prohibitions of the HSWA land disposal restrictions program. Other examples involve a change in interim status needed to comply with an EPA-issued Section 3008(h) corrective action order to comply with the minimum technology requirements of HSWA Section 3004(b).

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	STATE ANALOG IS:	
				MORE STRINGENT	BROADER IN SCOPE

PART 124 - PROCEDURES FOR DECISIONMAKING

SUBPART A - GENERAL PROGRAM REQUIREMENTS

†	PURPOSE AND SCOPE add sentence to end on denial of a permit under 270.29	124.1(a)			
†	ISSUANCE AND EFFECTIVE DATE OF PERMIT add parenthetical clause on denial of permit under 270.29	124.15(a)			
	add parenthetical clause on denial of permit under 270.29	124.15(b)			
†	APPEAL OF RCRA, UIC, AND PSD PERMITS add parenthetical clause on denial of permit under 270.29	124.19(a)			

PART 270 - EPA-ADMINISTERED PERMIT PROGRAMS:
 THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART A - GENERAL INFORMATION

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Hazardous Waste Management; Modification of Hazardous Waste Management
Permits; Procedures for Post-Closure Permitting (cont'd)

STATE ANALOG IS:

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
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† PURPOSE AND SCOPE OF THESE REGULATIONS

add sentence to end
on effect of permit
denial on post-closure
permit requirements 270.1(c)

SUBPART B - PERMIT APPLICATION

† GENERAL REQUIREMENTS

add sentence to end--
Director may deny a
permit for active life
without a complete
permit application 270.10(c)

† PERMIT DENIAL

director denial of entire
permit application or
active life of hazardous
waste facility or unit 270.29

SUBPART D - CHANGES TO PERMIT

† PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

make the listed
changes as 270.42,
shown below Appendix I

Amend items F(1)(a), F(1)(b), F(3), G(1)(a), G(1)(b), (G)(5)(a) and G(5)(b); add items F(1)(c), F(4)(a), F(4)(b), G(1)(e), G(5)(c), G(5)(d), H(5)(c), H(5)(d), J(6)(c) & J(6)(d) as is shown below.

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Permits; Procedures for Post-Closure Permitting (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	STATE ANALOG IS:		
		ANALOGOUS STATE CITATION	EQUIV- ALENT	MORE STRINGENT

SUBPART G - INTERIM STATUS

† CHANGES DURING INTERIM STATUS

add introductory paragraph addressing changes during interim status	270.72(a)			
redesignate former 270.72(a) as 270.72(a)(1); reword and include wording on newly listed or identified wastes regarding units used to handle such waste	270.72(a)(1)			
redesignate former 270.72(b) as 270.72(a)(2); slightly reword and reorganize	270.72(a)(2)			
redesignate this portion of former 270.72(b) regarding lack of capacity and reword slightly	270.72(a)(2)(i)			
add subsection regarding compliance with Federal, State, or local requirements	270.72(a)(2)(ii)			
redesignate former 270.72(c) as 270.72(a)(3); remove "may be made at a facility" after "hazardous waste"	270.72(a)(3)			
redesignate former 270.72(c)(1) as 270.72(a)(3)(i); replace "it is" with "the change."	270.72(a)(3)(i)			
redesignate former 270.72(c)(2) as 270.72(a)(3)(ii); replace "It is" with "The change"; remove parenthetical statement and "regulations";				

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FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	STATE ANALOG IS:		
		ANALOGOUS STATE CITATION	EQUIV- ALENT	MORE STRINGENT
replace "local laws" with "local requirement"	270.72(a)(3)(ii)			
redesignate former 270.72(d) as 270.72(a)(4); remove "may be made" after "facility"; remove "ownership or" before "operational control"	270.72(a)(4)			
add new section allowing changes made in accordance with a corrective action order or a court order; limited to the TS or D of releases originating within facility's boundaries	270.72(a)(5)			
redesignate former 270.72(e) as 270.72(b); revise first sentence; replace last sentence with list of changes that can be made if they amount to reconstruction:	270.72(b)			
changes solely to comply with 265.193	270.72(b)(1)			
changes necessary to satisfy standards of 3004(o) because of Federal, State or local requirements	270.72(b)(2)			
changes necessary to allow continuing treat- ment of newly listed or identified wastes TSD'd prior to rule's effective date	270.72(b)(3)			
changes during closure in accordance with approved closure plan	270.72(b)(4)			
changes necessary to comply with interim status corrective action order or court order; changes limited to				

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FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	STATE ANALOG IS:		
		ANALOGOUS STATE CITATION	EQUIV- ALENT	MORE STRINGENT
TS or D of waste originated within boundary of facility	270.72(b)(5)			
changes to treat or store, in tanks or containers, wastes subject to 268 or RCRA Section 3004 disposal restriction, if solely made for compliance with these requirements	270.72(b)(6)			
redesignate and revise as 270.72(a)(3)	270.72(c)			
redesignate and revise as 270.72(a)(4)	270.72(d)			
redesignate and revise as 270.72(b)	270.72(e)			
† TERMINATION OF INTERIM STATUS				
redesignate former 270.73(e) as 270.73(f); add new paragraph on termination 12 months after effective date for land disposal units operating under 270.72(a)(1), (2) or (3)	270.73(e)			
redesignate former 270.73(e) as 270.73(f)	270.73(f)			
redesignate former 270.73(f) as 270.73(g)	270.73(g)			

